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Date: March 4, 2004

**Pages including this
cover page:** 3

Comments:

Applicants: Brian B. Lee et al.
SN: 09/975,621
Filed: October 10, 2001
For: MEDICAL DEVICE ECG MARKER FOR USE IN
COMPRESSED DATA STREAM
DOCKET: P-8779.01
Group Art Unit: 3762

X Request for Continued Examination (RCE) Transmittal

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MEDTRONIC LAW DEPT

NO. 9890 P. 2/3

DOCKET NO.: P-8779.01

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
RCE TRANSMITTAL

In re Application of: Brian B. Lee et al.

For: MEDICAL DEVICE ECG MARKER FOR USE IN COMPRESSED DATA STREAM

Serial No.: 09/975,621

Filed: October 10, 2001

CERTIFICATE UNDER 37 CFR §1.8 I hereby certify that this Transmittal and the paper(s), as described herein are being sent via facsimile No. (703) 872-9308, addressed to the Commissioner for Patents, Mail Stop RCE, on this 4th day of March, 2004.

Molly Chlebeck
Signature

MOLLY CHLEBECK
Printed Name

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450,
Alexandria, VA 22313-1450

Sir:

We are transmitting herewith the attached:

X Request for RCE Transmittal
X Return Postcard

X Please charge any additional fees or credits to Deposit Account No. 13-2546 which may have been overlooked on this Transmittal with regard to this filing. A duplicate of this transmittal is enclosed.

X Applicant believes that no extension of time is required. However, if an extension of time is required, please consider this a petition therefor to provide for the possibility that applicant has inadvertently overlooked the need for an extension of time.

Date

4 March '04

Paul H. McDowall
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**Request
FOR
Continued Examination (RCE)
TRANSMITTAL**Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,
Provides for continued examination of an utility or plant
application

Filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/975,621
Filing Date	October 10, 2001
First Named Inventor	Brian B. Lee et al.
Group Art Unit	3762
Examiner Name	G. Evanisko
Attorney Docket Number	P8779.01

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

Note: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114**a. ☒ Previously submitted**i. ☒ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on January 19, 2004
(Any unentered amendment(s) referred to above will be entered).ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____iii. ☐ Other _____**b. ☐ Enclosed**i. ☐ Amendment/Replyii. ☐ Affidavit(s)/Declaration(s)iii. ☐ Information Disclosure Statement (IDS)iv. ☐ Other _____**2. Miscellaneous**a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(f) required)b. ☐ Other _____**3. Fees**

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 13-2546i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)iii. ☐ Other _____b. ☐ Check in the amount of \$ _____ enclosedc. ☐ Payment by credit card (Form PTO-2038 enclosed)**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type) Paul H. McDowell

Registration No. 34,873
(Attorney/Agent)

Signature

Date

4 March 04

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print/Type) Molly Chlebeck

Signature

Molly Chlebeck

Date

March 4, 2004

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